

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

HOUSTON POLICE OFFICERS'
PENSION SYSTEM

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MDL No. 1945

V.

STATE STREET BANK & TRUST
COMPANY and STATE STREET
GLOBAL ADVISORS, INC.

Civil Action No. 08-05442-RJH

DECLARATION OF ROBERT R. BURFORD

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared **ROBERT R. BURFORD**, who being by me duly sworn upon his oath, did depose and state as follows:

1. My name is Robert Burford. I am over eighteen years of age and am competent to give the testimony contained in this affidavit. I have personal knowledge of the facts stated herein, and they are true and correct. I am a partner at the law firm of Burford Maney, L.L.P. I am licensed to practice law in the State of Texas, and am the lead attorney of record for Plaintiff Houston Police Officers' Pension System (HPOPS). I am familiar with the pleadings and discovery in this case.

2. The documents included in the Appendix in Support of Memorandum in Response to State Street's Motion to Strike Expert Report of Lawrence J. Weiner ("the Memorandum") (Exhibits "1" to "6") are true and correct copies of pleadings, written discovery, affidavits, deposition transcripts, deposition exhibits, documents, and other materials that constitute the evidence relevant to HPOPS's Response to State Street's Motion to Strike Expert Report of Lawrence J. Weiner. Pursuant to Federal Rule of Civil Procedure 56, HPOPS offers these documents as the evidence in support of its Response to State Street's Motion to Strike Expert Report of Lawrence J. Weiner.

3. Exhibit 1 to the Memorandum contains a true and correct copy of the Declaration of Lawrence J. Weiner.

4. Exhibit 2 to the Memorandum contains a true and correct copy of the September 11, 2007 presentation to HPOPS.


5. Exhibit 3 to the Memorandum contains a true and correct copy of Plaintiff HPOPS's Disclosures of Expert Testimony Pursuant to Rule 26(a)(2).

6. Exhibit 4 to the Memorandum contains a true and correct copy of excerpts from the deposition of Elizabeth Shea, dated September 29, 2009, in the above-captioned action.

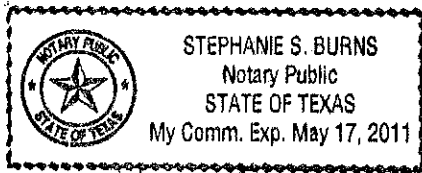
7. Exhibit 5 to the Memorandum contains a true and correct copy of excerpts from the deposition of Michael O'Hara, dated July 15, 2009, in the above-captioned action.

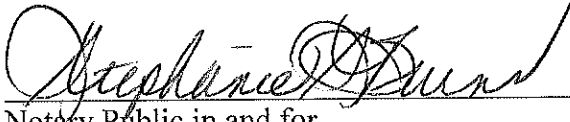
8. Exhibit 6 to the Memorandum contains a true and correct copy of excerpts from the deposition of Andrew Tenczar, dated September 17, 2009, in the above-captioned action.

Further Affiant sayeth not.


ROBERT R. BURFORD

SUBSCRIBED AND SWORN TO BEFORE ME this 14 day of July 2010, to certify which witness my hand and official seal.




Notary Public in and for
The State of Texas

My commission expires: May 17, 2011